IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 19TH FEBRUARY 2007 / 30TH MAGHA 1928

Tr.P(Crl.).No. 2 of 2007()

CC.995/2002 of J.M.F.C.,PALA

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PETITIONER: COMPLAINANT:

MALABAR CHIT FUNDS (PVT) LTD.,
3RD FLOOR, JAYANTHI BUILDINGS, CALICUT,
REPRESENTED BY P.SATHER, MANAGING DIRECTOR.

BY ADV. SRI.A.AHZAR

RESPONDENTS: STATE & ACCUSED:

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1. THE STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. K.V. JOSE,
KANNEZHATHU HOUSE, KOODATHU, CHEMARATHI,
OMASSERY, KOZHIKODE DISTRICT.

R1 BY PUBLIC PROSECUTOR SRI. GIKKU JACOB

THIS TRANSFER PETITION (CRIMINAL) HAVING BEEN FINALLY HEARD ON 19/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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T.P.(Crl).No. 2 of 2007

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Dated this the 19th day of February, 2007

O R D E R

This petition is filed by the complainant for transfer of C.C.No. 995 of 2002 pending before the Judicial First Class Magistrate, Pala to any court at Calicut. The petitioner is the complainant in a prosecution under Section 138 of the N.I. Act. The second respondent/accused is also a permanent resident at Calicut. Proceedings under Section 138 of the N.I. Act were initiated at Pala. The petitioner now wants the case to be transferred to any court at Calicut. The same is convenient to both parties, as the petitioner has his office at Calicut and the second respondent has his place of residence at Calicut.

2. The respondent has been served. There is no appearance for the second respondent. I must, in these circumstances, assume that the second respondent/accused has no objection against the proposed transfer.

3. This transfer petition is, in these circumstances, allowed. C.C.No. 995 of 2002 pending before the Court of Judicial First Class

Magistrate -I, Pala is transferred to the Court of Judicial First Class Magistrate -I, Calicut. The parties shall appear before that Court on 26.3.2007. The learned Judicial First Class Magistrate - I, Pala shall forthwith forward the records to the Judicial First Class Magistrate -I, Calicut and direct the parties to appear before the Court on 26.3.2007.

(R. BASANT)
Judge

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